

Naples City Council

April 9, 2015

Minutes

The regularly scheduled meeting of the Naples City Council was held April 9, 2015, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Liberty Best, G. A. Petry, Randy Petry, Jim Harper, Mark Watkins, Connie Patton, Joshua Bake, and Nikki Kay.

OTHERS ATTENDING

At 7:30 p.m. Mayor Dean Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Dennis Long offered the invocation.

OPENING CEREMONY

Mayor Baker presented the agenda for approval. Dennis Long **moved** to approve the agenda. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye. Councilman Kitchen had not arrived yet.

AGENDA APPROVED

Mayor Baker presented the minutes of the March 26, 2015 regular City Council meeting for approval. Dan Olsen **moved** to approve the minutes as presented. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Mayor Baker asked if anyone had anything to follow up on from the previous meeting. Nothing was brought forward.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Connie Patton presented the bills for payment approval. The amount presented to the Council was \$13,845.12. Connie asked for an additional \$1,585.59 for Pilot and \$695 for an invoice from eCivis. The total amount requested was \$14,540.12. Dennis Long **moved** to approve the amount of \$14,540.12. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

APPROVAL OF THE BILLS

Robert Hall Aye

Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

A travel requested from Rachelle Palmer to attend the Spring Prosecutors' conference was presented to Council for their approval. The amount requested was \$484.76. Robert Hall **moved** to approve the travel for Rachelle. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Absent

Councilman Kitchen arrived at this time.

Rob Heywood was not at the meeting. Dennis Long **moved** to table this discussion. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Council members considered a resolution authorizing an annually renewable lease, a master resolution, security documents and the issuance and sale by the authority of its Local Building Authority of Naples City, Uintah County, Utah City Office Lease Revenue Bond, Series 2015 to finance the cost of constructing a fire station and related facilities; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated. Resolution No. 15-273. Robert Hall **moved** to adopt Resolution No. 15-273. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim Harper came before the Council to present the recommendations he received in regards to the slumping of the road on 2500 South. Y2 Geotechnical, P.C. stated the best long term solution would be to excavate down to the undisturbed native soil and rebuild that portion of the road.

***TRAVEL APPROVAL FOR
CITY PROSECUTOR***

***PHEASANT RUN FINAL
APPROVAL FOR PHASE II
AND III***

***CONSIDERATION AND
ADOPTION OF A
RESOLUTION
AUTHORIZING LEASE
REVENUE BONDS TO
FINANCE THE COST OF
CONSTRUCTING A FIRE
STATION. RESOLUTION
NO. 15-273***

***RECOMMENDATION FOR
2500 SOUTH ASPHALT
REPAIRS***

They stated in their recommendation that might not be the most practical solution and they offered a bridging option which would spread out the settlement over a larger area, so the settlement is not so abrupt. They recommended bridging a section 2 feet below the asphalt and an over-excavated area of at least 2 feet for an area that extends to 5 feet beyond the edges of distress. A 12-inch layer of granular borrow would be put in and a reinforcing grid would be placed across the entire section topped with compacted road base and then asphalt. Their report stated the bridging section will not eliminate settlement but should reduce the amount of settlement and spread it out over a larger area. The second recommendation was from a company called CST (Concrete Stabilization Technologies). Their letter stated the previous soil testing shows the unstable soil lies below the three feet of sub grade tested. CST believes the box culvert running along side the affected area of the roadway is leaking and the escaping water has intruded the sub grade soils and migrated under the roadway leading to the settlement. They recommended employing URETEK's patented deep injection technologies to void fill, re-compact, partially lift and stabilize the subgrade below the settled sections of the asphalt road surface. Their estimate for labor and materials was \$48,250. Jim reported that he also received a bid from SCI to pothole the road and to cut a hole in the asphalt to determine if there is water there. Councilman Kitchen said the City already paid someone to pothole the area, why would they do it again. Jim said they only went down about three feet and it wasn't enough to determine if there is water there. The question was also asked if someone spoke to CIVCO Engineering about the gaps in the seams of the culvert. Jim said they did get with them and they were told the specs on it were 1/2" to 3/4" gaps. Jim said some of the gaps are 2-2 1/2" Councilman Kitchen stated he couldn't understand why the City would pay that much to have someone repair what they think is a leak when they don't really know if that's what it is. He felt it would be better to spend another \$2,400 and go a little deeper with the pot holes. Jim said they could go with the GEO grid system and just have them dig a little deeper before they put the grid system in. Councilman Long wanted to know how deep they would go. Jim said they would go six to seven feet. Jim said the County is getting ready to re-seal the road the middle of June and they need to figure out what to do before then. Councilman Olsen thought it would be wise to do some core sampling to see what is there. Councilman Hall wanted to know what happens if they do

find water there. Jim said the GEO grid system has worked in other areas and he felt it would be a good solution. Councilman Reynolds pointed out the culvert has always had water in it and maybe now the areas along there are drying out causing the roadway to sink. Council members recommended that Jim have someone dig a test hole to find out what is there and to bring that information back to the next meeting.

Jim Harper told the Council he received three road cut requests from Questar Gas for the houses on 2500 South the County owns. The County wants to demo the houses and the gas company needs access to the line where it t's into the main line. Jim stated the City has a moratorium of five years for road cuts on a new road. Mayor Baker said at one time he thought they discussed taking the moratorium out because you always have new construction or something else come along. Jim stated he couldn't ever find where this has been removed. Mayor Baker said they have always given permission in the past, they have just made whoever is cutting the road to bond for it. Joshua Bake said now that the Council is aware of the Ordinance that prohibits the cut they need to wait on approving the cuts until the ordinance is fixed. Robert Hall **moved** to table the road cut permits for Questar Gas until the next meeting. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

***REQUEST FOR ROAD CUT
P E R M I T S F R O M
QUESTAR GAS***

Jim Harper requested approval to expend funds to complete a load test on the generator at the City office. This would test the generator for both the natural gas and the propane. He said this would complete the start up phase for the generator and then the warranty phase will start for the next two years. Dennis Long **moved** to approve the \$2,300 expenditure. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

***APPROVE EXPENDITURE
FOR LOAD TEST ON
GENERATOR***

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Aye

Jim Harper requested approval to purchase the flowers for the Hwy 40 planters and the planters around the City office. The amount requested was \$6,731. Dennis Long **moved** to approve \$6,731 for the flowers. Robert Hall **seconded** the motion. The motion passed with the following vote:

***REQUEST TO PURCHASE
FLOWERS***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim Harper presented a request of \$1,511.14 for parts to repair the street sweeper. Dan Olsen **moved** to approve the request. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call:

***APPROVE EXPENDITURE
FOR SWEEPER REPAIR***

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Aye

Chief Watkins request approval to purchase 550 patches at \$1.44 per patch. Chief Watkins explained the more patches you purchase the less the cost of the patch. He requested approval for an expenditure of \$792 and stated it was in his budget. Dan Olsen **moved** to approve the purchase. Gordon Kitchen **seconded** the motion. The motion passed as follows:

***APPROVE POLICE
DEPARTMENT PURCHASE
FOR PATCHES***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Councilman Hall told the Mayor that he recently attended a meeting with Chief Watkins and said he believed the police department has always had good relations with the other departments but he doesn't believe it has ever been as good as it is now and wanted to commend Chief Watkins for that.

Nikki Kay presented the Council with a list of business license fees that she was requesting approval to write off. Nikki explained that some of the businesses were home occupations that were no longer doing business, others had moved, and some of the businesses had combined with another business and were now operating under once license. The amount presented was \$1,620. Dan Olsen **moved** to approve writing off the amount of \$1,620 as presented on the list. Dennis Long **seconded** the motion.

***APPROVAL TO WRITE
OFF BALANCES FOR
BUSINESS LICENSES***

The motion passed with a roll call vote as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Mayor Baker recognized Judge Petry in attendance at the meeting. Mayor Baker said he recently spoke with Judge Petry on the phone and she gave her opinion on why the Naples Justice Court should move up to the County. Mayor Baker gave Judge Petry time to share her thoughts and ideas with the Council. Judge Petry told the Council she has been a Justice Court Judge since 1996 and the Judge for Naples City since 2000. She stated that she cares about justice. Judge Petry stated when she learned about the current justice court clerk retiring it seemed to put things in a turmoil with no direct discussion between the Council and her. She thought it was time to have a face to face about the matter. Judge Petry said she heard the City was considering a part time position for the court clerk. Mayor Baker said that was the discussion at the last meeting they had. He said it was talked about having a part time court clerk and a part time administrative secretary. He said this would be two individuals. Mayor Baker said that was the discussion but they were willing to hear what she had to say on the matter. Judge Petry said she has some "self interest" in this matter because she feels the clerks in her office at the county have their operation down to a science. She explained everyone knows what everyone else is going to do and it makes it easier for her. Judge Petry said if the City could work out an interlocal agreement with the County it would provide consistent customer service by always having someone available to take payments, schedule court dates and work with the attorneys. Judge Petry asked what their thoughts were as to why they decided not to move things to the County. Mayor Baker said part of the reason was the feeling of losing the identity of the Naples Court. He said it was something they worked for when they established the City and they wanted to try and keep that identity. Judge Petry said they are already holding court at the Uintah County Safety Complex. Judge Petry reiterated the need for customer service and how much easier it is to make people comply when you provide the right type of service. Judge Petry stated she believes something could be worked out with the County by the City paying a percentage of the

***AUTHORIZE MAYOR TO
NEGOTIATE WITH
COUNTY IN REGARDS TO
NAPLES JUSTICE COURT
A N D B E G I N
RECRUITMENT PROCESS
FOR NEW JUSTICE
COURT CLERK***

revenues received. Councilman Hall and Councilman Long both stated they didn't have a problem with finding out what could be worked out with the County financially. Councilman Kitchen wanted to know if they still wanted to go ahead and advertise for a court clerk while this was in the process of being worked out. He said in case things couldn't be agreed to they would be ahead in that respect. Connie Patton asked how the bank deposits were going to work. She reported that she makes a deposit for the court every three days and wanted to know if the County would now be taking care of that. Judge Petry said they would and they would keep track of it by a separate accounting system. Judge Petry said it would still be held on the Naples CORIS system. Judge Petry said they would take care of it. Gordon Kitchen **moved** to authorize the Mayor to negotiate with the County for the Naples Court and to post for the position of court clerk in case the negotiations don't work. Mayor Baker said he doesn't see the County Commissioners turning us down on this. Councilman Kitchen said they have talked about it but until it is in writing and they start that process there is no guarantee. He said they are looking at a very short time frame and it would be good to have the job posted. Councilman Olsen said they still have to go on with court in the mean time and the motion ought to be to proceed and authorize the County to handle the Naples court business. With no second on the motion, Councilman Kitchen **withdrew** his motion. Councilman Hall said something needs to be worked out now in order to continue with the court business. Mayor Baker agreed and said something needs to be in place when Helen is done. Kenneth Reynolds **moved** to use the clerks at the County until the City can work out an MOU with the County for court services. Councilman Kitchen questioned if they needed a motion to authorize the Mayor to begin the discussions with the County for full court services where they have just made a motion for temporary court services. Mayor Baker said he just needs instruction on how they want him to proceed. Mayor Baker said he would come back to the Council after his discussions with the County Commissioners before going forward with an MOU or interlocal agreement. Joshua said they would need to give the Mayor authority to enter into a short term agreement with the County and to pursue the long term agreement. Councilman Reynolds was good with that. Dennis Long **seconded** the motion. The motion passed with a majority vote.

Judge Petry said this is an agreement and could be

terminated with just cause if things are not working out. Judge Petry stated that Rachelle Palmer has obtained copies of other City's interlocal agreements. Mayor Baker thanked Judge Petry for coming.

Joshua Bake wanted the Council to know there will be a staff meeting at the shop on Monday. He wanted them to know they would be having cake and ice cream for Helen to wish her well on her retirement.

Joshua also wanted the Council to consider holding City Council pre-work sessions. He said they found these to be very helpful in Wyoming and it was a way to get a lot of questions answered before the meeting. He said they still advertise them and invite the public just like a regular meeting.

Nikki Kay wanted the Council to know there is a public hearing scheduled for May 14, 2015 to receive public input for the fire station bonds.

Dan Olsen **moved** to adjourn the meeting at 9:15 p.m. Dennis Long **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

***O T H E R
M A T T E R S / F U T U R E
C O U N C I L M A T T E R S***

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 23rd DAY OF APRIL 2015

BY: _____

ATTEST: _____